

Appl. No. 10/613,296
Docket No. 9322
Amdt. dated February 27, 2008
Reply to Office Action mailed on September 27, 2007
Customer No. 27752

RECEIVED
CENTRAL FAX CENTER
FEB 27 2008

REMARKS

Claim Status

Claims 6 and 9 have been canceled without prejudice.

Claims 1-3, 5, and 10-15 are now pending in the present application. Claim 3 remains withdrawn due to a previous restriction requirement.

Claim 1 has been amended to include the limitations from original Claim 9.

Rejection Under 35 USC §112

Claim 9 has been rejected under 35 U.S.C. §112, second paragraph, as being indefinite because the claim is dependent on previously canceled Claim 8. Applicants have now canceled Claim 9 without prejudice and therefore submit this rejection is now moot.

Rejection Under 35 USC §102(a) Over Chen et al. (US 2003/0083631)

Claims 1, 2, 5-6 and 10-15 remain rejected under 35 U.S.C. §102(a) as being anticipated by Chen et al. (US 2003/0083631). Applicants respectfully traverse this rejection.

In addition to the amendments and arguments previously submitted by Applicants, Applicants have now further amended Claim 1 to incorporate the limitation from original Claim 9. Claim 1 requires that the zone(s) of extensibility of the first absorbent layer and the zones of enhanced extensibility of the facing layer are in registry and now further requires that the facing layer and first absorbent layer are joined (e.g. bonded together) only in areas intermediate of the zone of extensibility of the first absorbent layer. In other words, the zones of enhanced extensibility of the facing layer and the zone(s) of extensibility of the first absorbent layer are not joined together (e.g. unbonded). *See, e.g.*, page 11, lines 24-25. Chen et al. clearly do not teach or suggest an absorbent article as presently claimed.

Since Chen et al. do not teach each and every element as recited in each of Claims 1-2, 5, and 10-15, Applicants submit that Claims 1-2, 5, and 10-15 are not anticipated by, and are patentable over, Chen et al. under 35 U.S.C. §102(a). Applicants therefore

Appl. No. 10/613,296
Docket No. 9322
Amdt. dated February 27, 2008
Reply to Office Action mailed on September 27, 2007
Customer No. 27752

respectfully request that the present rejections be withdrawn and Claims 1-2, 5, and 10-15 be allowed.

Once Claims 1-2, 5, and 10-15 are found to be allowable, Applicants respectfully request that currently withdrawn Claim 3 be rejoined with Claims 1-2, 5, and 10-15, and be allowed.

Information Disclosure Statement

Applicants submitted an Information Disclosure Statement ("IDS") dated August 15, 2007. However, it does not appear that the SB08 form has been initialed by the Examiner. Applicants therefore respectfully request the Examiner to consider the reference submitted in the IDS, initial the associated SB08 form, and return a copy of the initialed SB08 form to Applicants.

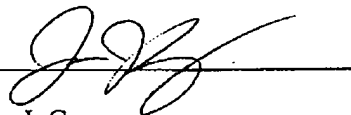
Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied references. In view of the foregoing, entry of the amendments presented herein, reconsideration of this application, and allowance of the pending claims are respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By



Jason J. Camp
Registration No. 44,582
(513) 634-2673

Date: February 27, 2008
Customer No. 27752